

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF ARKANSAS
CENTRAL DIVISION**

UNITED STATES OF AMERICA

PLAINTIFF

v.

CASE NO. 4:20-CR-00082-BSM

JASON CARTER

DEFENDANT

ORDER

Jason Carter’s pro se motion to reduce sentence [Doc. No. 58] is denied because the retroactive application of Amendment 821 to the Federal Sentencing Guidelines does not reduce his sentencing range. *See* U.S.S.G 1.10(a)(2). This is true because Carter’s status as a career offender keeps him in criminal history category level VI. Even if Carter was not a career offender, the amendment merely reduces his criminal history points from 18 to 17, and therefore his criminal history category remains at level VI. Additionally, Carter’s plea agreement “waive[d] the right to have the sentence modified pursuant to Title 18, United States Code, Section 3582(c)(2) . . .” Doc. No. 36 at 3. Because Carter knowingly and voluntarily entered into his plea agreement, he is not entitled to relief. *United States v. Cowan*, 781 F. App’x 571, 571-72 (8th Cir. 2019) (per curiam) (affirming dismissal of a § 3582(c)(2) motion when the record establishes that the defendant knowingly and voluntarily entered the plea agreement).

IT IS SO ORDERED this 27th day of September, 2024.


UNITED STATES DISTRICT JUDGE